stored on the property.

found within Section 500.14 of the B.C.Z.R.

Bay Critical Areas requirements to:

rounding lands;

IN RE: PETITION FOR ZONING VARIANCE \* 80 ft. W of intersection of northernmost & easternmost R/W of Sandy Plains Road

8618 Sandy Plains Road \* OF BALTIMORE COUNTY 12th Election District 7th Councilmanic \* Case No. 93 144-A Irving Russell Bauer, et ux Petitioners

. . . . . . . . . . .

BEFORE THE

ZONING COMMISSIONER

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 8618 Sandy Plains Road in the Inverness Subdivision of Baltimore County. The Petition seeks relief to legitimize two existing conditions which are the present subject of a zoning violation case. First, the Petitioners seek approval of the location of an existing accessory structure (shed). This shed is situated in the side yard of the property, in lieu of the required rear yard, and the Petitioners allege that same is 0 ft. from the side yard property line, in lieu of the required 2-1/2 ft. The location and setbacks of the accessory structure are governed by Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Secondly, the Petitioners seek relief from Section 415.A of the B.C.Z.R. to permit three recreational vehicles on the property in the lieu of the permitted one. The relief requested is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners/property owners, Irving R. Bauer and Joyce Louise Bauer, appeared and testified. Appearing in opposition of the Petition was the adjacent property owner, Mary S. Ellendt of 8620 Sandy Plains

but they may not be replaced or substituted. If said vehicles are sold or

no longer owned by the Petitioners, the authority granted by this variance

shall lapse. It is the intent of this approval to allow the current vehi-

cles to remain, in view of the Petitioners' long time ownership and use of

this property, but not to permit subsequent owners or other vehicles to be

is, therefore, subject to the Chesapeake Bay Critical Area legislation

the Department of Environmental Protection and Resource Management must

submit recommendations which describe what steps the Petitioners must take

to insure that the relief requested complies with the following Chesapeake

1) Minimize adverse impacts on water quality that

result from pollutants that are discharged from struc-

tures or conveyances or that have run off from sur-

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area

which accommodate growth and also address the fact

that, even if pollution is controlled, the number,

movement, and activities of persons in that area can

in the Zoning Plans Advisory Committee comments from the Department of

Environmental Protection and Resource Management (D.E.P.R.M.) dated Novem-

ber 25, 1992. (copy attached hereto). When D.E.P.R.H.'s final comments

are completed, they shall be attached hereto and become a permanent part

of the decision rendered in this case. There is no evidence in the record

These recommendations have not, as yet, been submitted, as noted

create adverse environmental impacts.

2) Conserve fish, wildlife, and plant habitat; and

This property lies within close proximity to the Chesapeake Bay and

In accordance with Section 500.14 of the B.C.Z.R., the Director of

Evidence and testimony presented was that the subject site is a water front property on Chink Creek in the Inverness Subdivision. The property, known as 8618 Sandy Plains Road, is zoned D.R. 3.5 and is approximately 9,856 sq. ft. in area. It is improved by a one story framed dwelling which is occupied by Mr. and Mrs. Bauer.

The pending Petition relates to an accessory structure (shed) which is located in the side yard of the property. This long, yet narrow, shed was constructed approximately ten years ago, according to the testimony of Mr. Bauer. He indicated that it was placed in its current location partly based upon a request of Mrs. Squires, the then owner of the adjoining lot now occupied by Mrs. Ellendt. The shed provides needed storage space for the Bauers and is located approximately 3 ft. from the side of their dwelling. Mr. Bauer testified that the storage provided by the shed is necessary and that to relocate same would be costly and inconvenient. Particularly in view of the fact that the shed has been in place for many years, the Petitioners request permission to legitimize its present location.

Although Mrs. Ellendt testified that she is concerned about the side yard setback waiver, she particularly emphasized her objections to a possible infringement of the shed onto her property. In this respect, she submitted a survey which indicates that the shed is not placed parallel with the property line and actually infringes onto her property at its northeast corner. She objects to this infringement.

As I stated at the hearing, the maximum relief which I may grant is to allow a 0 ft. side yard setback. That is, I can waive the side yard setback requirement and permit the shed to be placed abutting the property line. However, I do not have authority to decide on such matters of adverse possession and property rights. Therefore, any relief granted with-

in this Order will permit the shed to be located only on the property line and cannot be construed as permission to permit the shed to extend over the property line onto the Ellendt property. In this respect, this property line dispute between these neighbors must be decided by the proper court of competent jurisdiction.

As with any variance, the Petitioner must demonstrate that relief should be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome:

> 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

As it relates to the accessory structure, I am persuaded that the Petitioners have met their burden. It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result

if the variance is not granted. In this respect, I am particularly persuaded by the testimony of Mr. Bauer that the shed has been at its present location for many years and to relocate same would impose an undue burden upon the Petitioners. Also, the failing health of the Petitioners and the need for the storage space provided by the shed are factors justifying the variance. To require the Petitioners to move the shed elsewhere on the lot might further endanger their health. For these reasons, it has been established that special circumstances or conditions exist that are peculiar to this site and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land. Further, the variance requested will not cause any injury to the public health, safety and general welfare of the locale and will be in strict harmony with the spirit and intent of the B.C.Z.R. Thus, relief from the provisions of Section 400.1 of the B.C.Z.R. as they relate to the placement and side yard setbacks of the accessory structure will be granted.

As noted above, the second variance relates to Section 415.A of the B.C.Z.R. and the number of recreational vehicles on site. Under the regulation, one recreational vehicle is permitted, however, Mr. Bauer testified that he maintains two boats and a trailer on the property. Apparently, the trailer and one of the boats is owned by the Petitioners and the other boat is owned by the son. The Petitioners presented little testimony in support of this variance, other than to note that the recreational vehicles have been on site for many years, and they are owned by them or their family. To relocate same would result in great expense and inconvenience. Under the circumstances, I am persuaded to grant this variance, restricting same to these recreational vehicles. That is, the Petitioners may keep the three recreational vehicles presently stored on the property,

that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this \_\_\_\_\_ day of January, 1993 that a variance from Section 415.A of the B.C.Z.R. to permit three recreational vehicles in the lieu of the permitted one recreational vehicle, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 400.1 of the B.C.Z.R. for approval of the placement of an existing accessory structure (shed) to be located in the side yard of the property, in lieu of the required rear yard; and that same be 0 ft. from the side yard property line, in lieu of the required 2-1/2 ft., be and is hereby GRANTED, all subject, however, to the following restrictions which are conditions prece-// dent to the relief granted herein:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

2. The granting of the variance is conditioned upon the Petitioners obtaining confirmation that the subject Petition complies with the Chesapeake Bay Critical Area regulations and obtains approval from the Department of Environmental Protection and Resource Management (D.E.P.R.M.).

3. The granting of the variance from Section 415.A of the B.C.E.R. shall extend only to the

three recreational vehicles presently on the property and only for so long as same are owned by the Petitioners and their son. If said property and/or vehicles are no longer owned by the Petitioners, the variance granted herein shall lapse. Further, within 30 days from the date of this Order, the Petitioner shall submit a clear photograph of the recreational vehicles so as to document the identity of the vehicles presently on this site.

> Zoning Commissioner for Baltimore County

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 8, 1993

Baltimore County Government

Zoning Commissioner Office of Planning and Zoning

Mr. and Mrs. Irving R. Bauer 8618 Sandy Plains Road Dundalk, Maryland 21222

> RE: Case No. 93-144-A Petition for Variance 8618 Sandy Plains Road

Dear Mr. and Mrs. Bauer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in part, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LES:mmn att.

cc: Mrs. Mary S. Ellendt 8620 Sandy Plains Road

LES/mmn

Dundalk, Maryland 21222

Lawrence E. Schmidt Zoning Commissioner

for the property located at 8618 Sandy Planes PS
which & presently and DR. 3.5

The Pettion shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Beltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400st. TO PERM I A DETATCHET)

(EAISTING) (JOYRS) ACCESSORY STRUCTURE IN THE SIDE YARD DITH A OFT. SETBACK IN LIEW OF THE REQUIRED REAR YARD WITH A 2 4 FT. SET BACK AND FROM SECTION 415. A TO PERMIT 3 RECREATIONAL VEHICLES IN LEA OF THE PERMITTED!

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty). DUC TO COMPLICATIONS AFTER ME BALLER MERET SURJURY DE AND NOT WOKKED FOR 2 YES MISER MY NEMET SURJURY BY AN ADCIDENT I HAVE A PONTION & RECEIVE 35 WHICH MAKES FUR HOUSE PRYMENTS - MY HUBBAND REMEYES NO PRASIDE OR UNEMPLOYMENT. WE HAVE NEVER LIVED BEYIND OUR MEANS BUT DE- HEAPETAL BILLS HAVE NORD OUT OUR STOCK & SAULINGS - NE MANC SCREAR DUTTINGO OUR MEANS BUT DRY ME CAN NOT PAY NOW - NO MANC HAD HAVE SOLD FOR BAK THYRO BUT DUE TO THE WAR LOADS NO WERE O BKE TO PAY DAWN - NO MANC HAD HAVE SOLD FOR BAK THYRO BUT DUE TO THE SAME PUBLES. THIS YEAR I WULD - COST SEPERAL THU WORND DISCOUNT THE SAME PUBLES. THIS YEAR TRUDGED WITH THE SAME FOR THE TAKE THE PROPERTY IS TO BE POSTED AND TO WORK TO BE COUNTY IN MAN SKATER THAT ALLOWS ME WET TO BE CONJUNCT TO MUNE) I CAN NOT THE FOUNT DOOR IS NOT WIDE EVEN IN TO WE ASSESSED ON THE FOUNT DOOR IS NOT WIDE EVEN IN TO WE ASSESSED ON THE FOUNT DOOR IS NOT WIDE EVEN IN THE SAME THAT ALLOWS ME WORK TO BE DOUBT OF THE FOUNT DOOR IS NOT WIDE EVEN IN THE SAME THAT HE FOUNT DOOR IS NOT WITH THE BOUND TO WE WOUNT DOOR OF THE FOUNT DOOR OF THE SAME WITH THE PARK OF THE WORK OF THE PARK OF THE P

byent 14- ALD BE NOT WISH TO LOOSE MY HOME. PROPERTY - NAS NOT BOLD POSTED Verified o solemnly declare and affirm, under the penalties of perjury, that Verifie the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee TRUING RUSSICLL BAUFR Signature Knowly Barre JOYCE LOUISE BRUFE ofce Touse Sauce

DESCRIPTION

TERMINE HT A POWE AT THE NORTHERNMOST AND MATERIAL AND EASTERN -MOST INTERSECTIONS OF THE RW OF SHWDY PLAINS RD. THENCE ALONG THE NORTHERN MOST RW OF SANDY PLAINS RD A DISTANCE OF BOFT. WEST TO THE POINT OF BEGINNING THENCE N. 121 FT ±, EAST 78 FT + , SOUTH 135 FT. + THERE WEST 77.97 FT TAKE BEING KNOWN AS. 8618 SANDY PLAINS RD IN THE 1274 E.D.

> I TAKE RESPONSIBILITY FOR THE ACCURACY OF THIS INFORMATION AS PROVIDED BY BALTO. CO

age foure Baux

93-144-A

ARTMENT OF BALTIMORE COUNTY 93-144-A

District 12Th Posted for:	la riènce	Date of Posting 11/70/4
Politicoer:	my T Foxes 1 8618 Sendy	Bauer
Location of property:	8618 Sandy	floin Rd - [N/S]
larging of Slope	Facing Youda	way for frequent of Phions
Remarks:		

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on 11 12, 1992

THE JEFFERSONIAN.

\$65.65

10/26/96 H9300**149** PULLED DUMPTED FIRE 04A04 ที่มีข้อ ก็ประเทศ OTO POPULAR VARIABLE IN Development Management 111 Sest Chesopeuke Avenue

Baltimore County Government
Office of Zoning Administration and Development Management

(410) 887-3353

DATE: 11/24/92 Irving and Joyce Bener

111 West Chesapeake Avenue

Towson, MD 21204

8618 Sandy Plains Boad Dundalk, Haryland 21222

CASE NUMBER: 93-144-A (Item 149) 80' W of intersection of northernmost and easternmost R/W os Sandy Plains Road 8618 Sandy Plains Road 12th Election District - 7th Councilmanic Petitioner(s): Irving Russell Bauer and Joyce Louise Bauer HEARING: TUESDAY, DECEMBER 8, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 65.65 is due for advertising and posting of the above captioned property and bearing date.

THIS PRE MUST BE PAID AND THE ZONTING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return unil to the Zoning Office, County Office Building, 111 W. Chesspeaks Avenue, Room 109, Touson, Maryland 21204. Place the case number on the check and make same nevable to Beltimore County, Maryland. In order to evoid delay of the issuence of proper credit and/or your Order, ismediate attention to this matter is suggested.

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Bultimore County, by authority of the Zoning Act and Regulations of Bultimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chasspeaks Avenue in Tousan, Maryland 21204

Room 118, Old Courthouse, 400 Hashington Avenue, Tomon, Maryland 21204 as follows:

Cast Minner: 93-144-1 (Itam 149) 80' W of intersection of northermost and eastermost 2/W os Sandy Plains Boad 8618 Sendy Plains Road 12th Election District - 7th Councilmenic Petitioner(s): Irving Russell Baser and Joyce Louise Baser HEARING: TORSDAY, DECEMBER 8, 1992 at 9:00 s.m. in No. 118, Old Courthouse.

Veriance to permit a detached (excisting, 10 years) accessery structure is the side yerd with a seco foot authoric in lies of the required rear yard with a 2-1/2 foot setback; and to permit 3 recreational vehicles in lies of the permitted 1.

111 West Chesapeake Avenue

Towson, MD 21204

oc: Irving and Joyce Baser Bernard I. Pollock, Req Peul and Hary Ellestet

MOTE: HEARTHNE AND MANDICAPPED ACCRECIAL; FOR SPECIAL ACCOMMUNITIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration and Development Management



November 30, 1992

(410) 887-3353

Mr. and Mrs. Irving Russell Bauer 8618 Sandy Plains Road Dundalk, MD 21222

RE: Case No. 93-144-A, Item No. 149 Petitioner: Irving Russell Bauer, et ux Petition for Variance

Dear Mr. and Mrs. Bauer:

111 West Chesapeake Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future soning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the moning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Baltimore County Government** Office of Zoning Administration and Development Management

Please Make Checks Payable To: Beltimore County : 29AH1.2-08 92

04A04#0051M10HFC

(410) 887-3353

Your petition has been received and accepted for filing this

27th day of October, 1992.

Zoning Plans Advisory Committee

Petitioner: Irving Russell Bauer, et ux Petitioner's Attorney:

**Cachler Validation** 

111 West Chesapeake Avenue

Towson, MD 21204

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Project Name Number Walver Number	$\overline{}$	
	Zoming Issue	Meeting Date
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Rec'd 11/11/92		

BALTIMORE COUNTY, MARYLAND

Mr. Arnold Jablon, Director

Zoning Administration and

Zoning Item #149 8618 Sandy Plains Road

Development Management

FROM: J. Lawrence Pilson P Development Coordinator, DEPRM

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee Meeting of November 9, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine

whether the proposed development is in compliance with the Chesapeake Bay

Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

Critical Area Regulations. The applicant must submit a Critical Area

DATE: November 25, 1992

Maryland Department of Transportation State Highway Administration

Hai Kassoff

Dear Ms. Winiarski:

This affice has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl W. Richards Zoning Coordinator

October 27, 1992

FROM: James H. Thompson -LJW Zoning Enforcement Coordinator

Petitioner: LOUISE & RUSSELL BAUER

VIOLATION CASE # CV-92-212

LOCATION OF VIOLATION 8618 SANDY PLAINS ROAD

ADDRESS ABOVE

DEFENDANT ABOVE

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

BERNARD I. POLLOCK (ATTORNEY) 3129 EASTERN AVENUE 21224-3904 PAUL & MARY ELLENTOT 8620 SANDY PLAINS ROAD 21222

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

93-144-A 12-8

140/53.ZAC/ZAC1

Baltimore County Government Fire Department

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

If there should be any further questions or if this office can provide additional

information, please contact Francis Morsey in the Office of Planning at 887-3211.

DATE: November 12, 1992

Arnold Jablon, Director

Development Management

FROM: Ervin Mc Daniel, Chief

Irving and Joyce Bauer,

John and Brenda Morgan, Item No. 152

Michael and Nadine Bertazon, Item No. 153

Andrew I. David, Item No. 150

Zoning Administration and

Office of Planning and Zoning

Petitions from Zoning Advisory Committee

Development Review Section

(November 9, 1992)

Anthony and Susan DiBartolomeo, Item No. 140 V

700 East Joppa Road Suite 901 Towson, MD 21204-5500

NOVEMBER 18, 1992

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building

Towson, MD 21204

(410) 887-4500 DEGEIVE T **ZONING COMMISSIONE** 

RE: Property Owner: IRVING RUSSELL BAUER AND JOYCE LOUISE BAUER Location: #8618 SANDY PLAINS ROAD

Item No.: 149 (JLL) Zoning Agenda: NOVEMBER 9, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

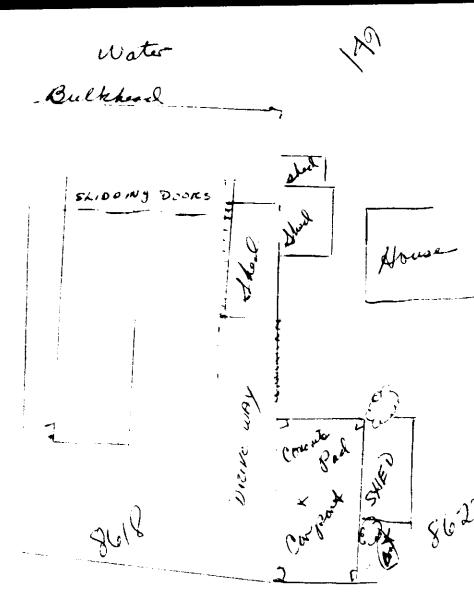
Planning Group Special Inspection Division

JP/KEK

DPW/Traffic Engineering 11/16/98 Development Review Committee Response Form In. 11/16/97 Project Name File Number Walver Number Common Tabbe Mesting Date Edward L. And Linda M. Gittings Anthon: J. and Besse M. SiPartolymee inving by and itsale to deser-DED DEARM BT STR IL Baltimore Enty Landsdowne Voi Fire Debt. John P. and Brenda J. Morgan Michael and Nacine Bertazon Richard M. Diotte DED DEPRM RP STP TE Stonegate at Patapsco (Azreal Property) ZON DED TE (Waiting for developer to submit plans first) 

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

SANDYP/TXTSBP



placement of shed nade a safe. place for a ramp for mys Baue to who neede access from wide pation doors and ownhead porrolection in Sad west him to get to & from con with wheelthair

to get to & from con with wheelthair

the HEA. Shorter rough is standed and

area stays, dry & protected.

when Shed was built the only place that would not abstract you Squis Vite and not black her not from her house and the swing under her lar place our shed up against lar sheds that were suppossed to be an the property line until 4 months ogo
the property line but on her swing every day
The Squire Lat on her swing every day
fince was placed on same line as
fince was placed on same line as
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ALSO A MEMBER OF THE FLORIDA BAR

BERNARD I. POLLOCK Attorney At Law 3129 Eastern Avenue Baltimore, Maryland 21224-3904 Telephone (410) 342-6733 Telefax (410) 342-4146

CERTIFIED MAIL RETURN RECEIPT REQUESTED P 401 874 862

October 1, 1992

Baltimore County, Maryland Zoning Office Citation for Civil Zoning Violation Room 113

111 W. Chesapeake Avenue Towson, Maryland 21204

Attention: L. Wasilewski

Re: Case No.: C-92-1216 Location: 8618 Sandy Plains Road My Client: Paul and Mary Ellendt 8620 Sandy Plains Road Baltimore, Maryland 21222

Dear L. Wastlewski:

Enclosed please find a copy of the correspondence sent to Mr. and Mrs. Bauer, the property owners of 8618 Sandy Plains Road. I am also enclosing a copy of the survey which indicates that the present garage is encroaching upon the property of my clients.

My clients are adamantly opposed to any variance being permitted to Mr. and Mrs. Bauer with regard to this garage on the property. Not only is the garage inappropriate, but it is dilapidated and encroaching upon their

If I may be of any further assistance with regard to this matter, please do not hesitate to contact me. of 12/1/42 Please Contact Mary on Paul allendt if needed 334.5606 on 388-1765 Very truly yours,

> Bur O Pollox Bernard I. Pollock

BIP/als Enclosures √ CC: Mr. Mrs. Paul Ellendt

MICROFILMED

ALSO A MEMBER OF THE FLORIDA BAR

BERNARD I. POLLOCK Attorney At Law 3129 Eastern Avenue Baltimore, Maryland 21224-3904 Telephone (410) 342-6733 Telefax (410) 342-4146

CERTIFIED MAIL RETURN RECEIPT REQUESTED P 401 874 861

October 1, 1992

Mr. Mrs. Russell Bauer 8618 Sandy Plains Road Baltimore, Maryland 21222

Re: My Clients: Paul Ellendt and Mary Ellendt 8620 Sandy Plains Road Baltimore, Maryland 21222

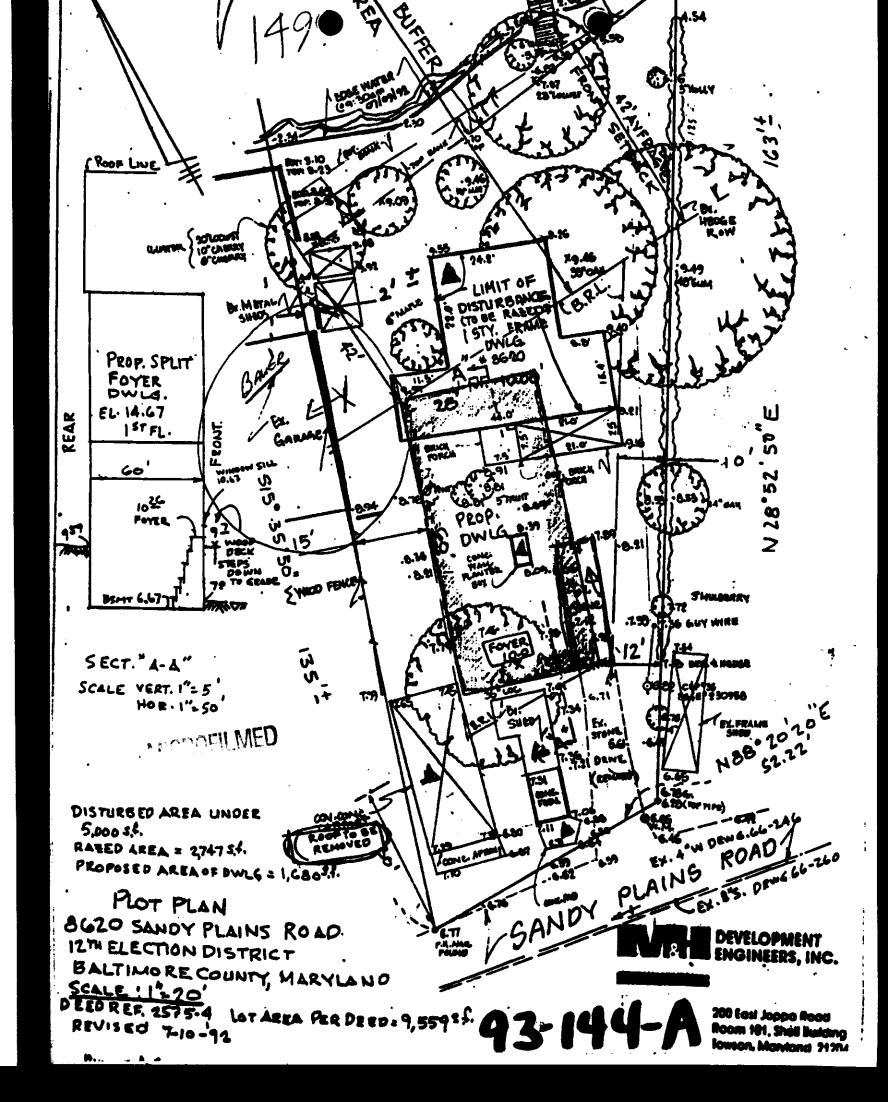
Dear Mr. and Mrs. Bauer:

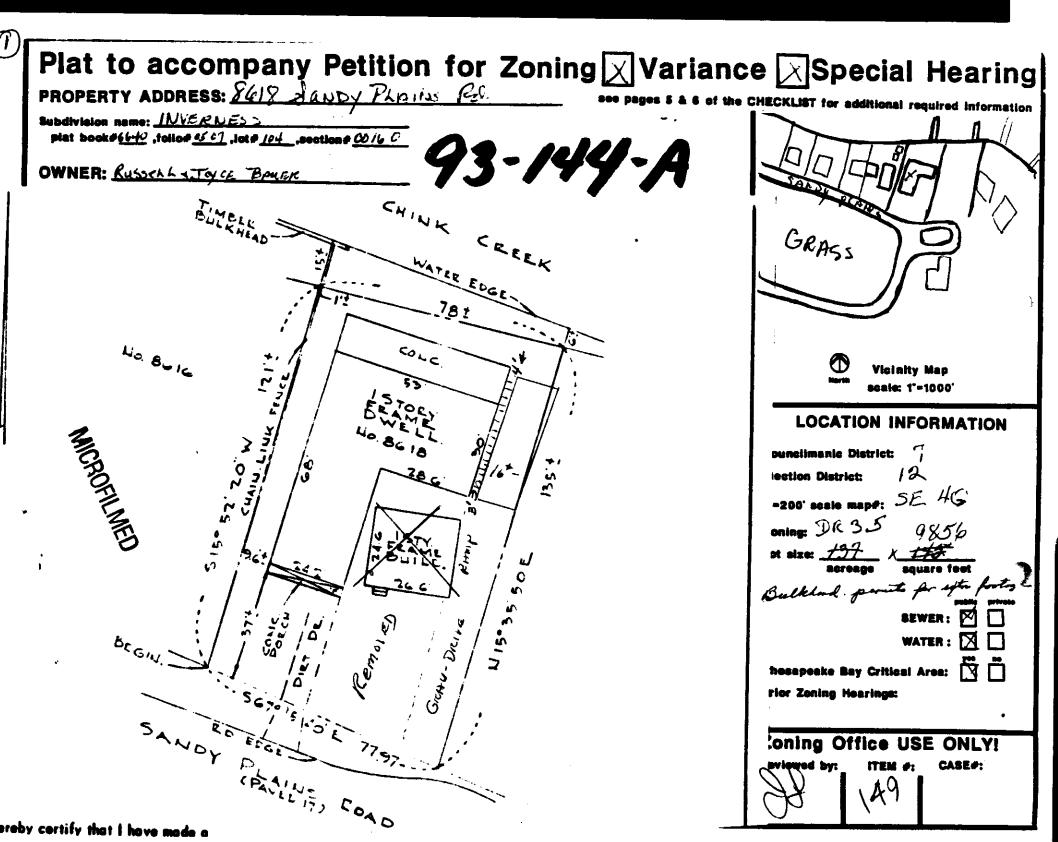
Please be advised that the undersigned has been retained by Mr. and Mrs. Ellendt with regard to their property, 8620 Sandy Plains Road. It has come to my attention that your garage is encroaching upon and over the boundary line of the surveyed lot of 8620 Sandy Plains Road. I am enclosing herewith a photo copy of the survey which indicates the portion of your garage which extends over the boundary line. My clients previously brought to your attention the fact that your property is encroaching upon

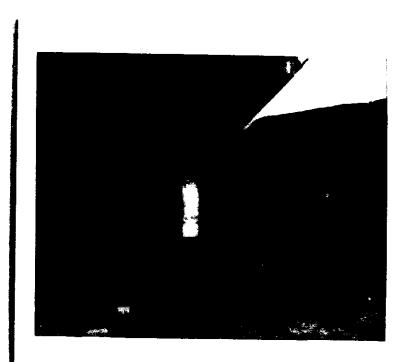
Furthermore, it is my understanding that this garage constitutes an improper placement of an accessory structure without a proper variance from Baltimore County. At this time demand is now made upon you to remove this structure or that portion of the structure which encroaches upon my client's property. You are to remove that portion of the garage from their property within the next thirty (30) days. At this time I am in the process of advising the County of this encroachment upon my client's property. Demand is now made upon you to act to rectify this problem in order to avoid any further legal problems in the future. It has been

93-144-A

SCALE POLOCO CREEK PWG. 2515' + To KAVANASH RO #8613 PLAINS







149



another plan bout. note: carport is on property in order not to block it Shell was put along our house near

